IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 18.01.2007

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice N.PAUL VASANTHAKUMAR

Writ Appeal No.1243 of 2002
& WAMP No.2295 of 2002

P.Samiappa Gounder ... Appellant/Petitioner

Vs.

The Regional Transport Authority,
Erode. ... Respondent/Respondent

Writ appeal filed under Clause 15 of the Letters Patent against the order dated 28.03.2002 made in W.P.No.11094 of 1996. Filed under article 226 of the Constitution of India praying for issue a writ of Mandamus for bearing the Respondent from proceeding further in any manner pursuant to the memo issued by the Respondent in Ref.No. 48784/A2/96 dated 25.7.1996 to enable the petitioner to maintain the status quo as on 25.7.96 in the manner of operation of his bus TN 33 X 6656 between Kangayan Bus stand and palapalayamharijan Colony (Viz) Chennimalai.

For Appellant : Mr.C.S.Prakasa Rao

For respondent : Mr.K.Elango,
Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

The writ appeal is directed against the order dated 28.03.2002 made in W.P.No.11094 of 1996, in and by which, the learned single Judge, after finding no merit in the writ petition, has dismissed the writ petition and directed the Regional Transport Officer to inspect the stretch of the road and to take a decision.

2. The learned counsel appearing for the appellant submits that direction may be issued to the respondent-the Regional Transport Officer, Coimbatore at Erode to inspect and pass an order within a period of four weeks. It is brought to our notice that against the

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order of the learned single Judge dated 28.03.2002, while admitting the writ appeal, the Division Bench of this Court in WAMP No.2295 of 2002 directed that status quo as on 29.04.2002 relating to the route shall be maintained until further orders and ordered notice to the respondents.

3. In view of the said order, we are of the view that the respondent cannot be blamed for not implementing the order of the learned single Judge dated 28.03.2002. Even otherwise, we do not find any error or infirmity warranting interference. Consequently, the writ appeal fails and the same is dismissed. The respondent is granted four weeks time to comply with the order of the learned single Judge dated 28.03.2002.

4. with the above observation, the writ appeal is dismissed. No costs. Consequently, WAMP No.2295 of 2002 is also dismissed.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

The Regional Transport Authority,
Erode.

+ 1 cc to Mr. C. S. Prakasa Rao, Advocate SR No. 3204

W.A.No.1243 of 2002

GM(CO)
SR/25.1.2007

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